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PATENT

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS: HANS CZERNY - 3 (PCT)
SERIAL NO.: 10/523,662
FILED: FEBRUARY 4, 2005
TITLE: INSULATING COMPONENT FOR INSULATING HEAT AND/OR
SOUND, PROVIDED WITH A FIRE-RETARDANT COATING

SUBMISSION OF INTERNATIONAL PRELIMINARY EXAMINATION REPORT

MAIL STOP AMENDMENT

Commissioner of Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Applicant is enclosing a copy of the International Preliminary Examination Report. It is respectfully requested that the foregoing International Preliminary Examination Report be incorporated into the official file of the above-referenced application.

Respectfully submitted,
HANS CZERNY - 3 (PCT)

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Enclosures: Copy of International Preliminary Examination Report

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as first class mail in an envelope addressed to: Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on May 6, 2005.

Melissa Konko



PATENT COOPERATION TREATY

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INTERNATIONAL PRELIMINARY EXAMINATION REPORT

(PCT Article 36 and Rule 70)

Translation

Applicant's or agent's file reference 020280WO	FOR FURTHER ACTION See Notification of Transmittal of International Preliminary Examination Report (Form PCT/IPEA/416)	
International application No. PCT/EP2003/008030	International filing date (day/month/year) 23 July 2003 (23.07.2003)	Priority date (day/month/year) 23 August 2002 (23.08.2002)
International Patent Classification (IPC) or national classification and IPC C04B 28/26		
Applicant CARCOUSTICS TECH CENTER GMBH		

<p>1. This international preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36.</p> <p>2. This REPORT consists of a total of <u>4</u> sheets, including this cover sheet.</p> <p><input checked="" type="checkbox"/> This report is also accompanied by ANNEXES, i.e., sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT).</p> <p>These annexes consist of a total of <u>10</u> sheets.</p>	
<p>3. This report contains indications relating to the following items:</p> <p>I <input checked="" type="checkbox"/> Basis of the report</p> <p>II <input type="checkbox"/> Priority</p> <p>III <input type="checkbox"/> Non-establishment of opinion with regard to novelty, inventive step and industrial applicability</p> <p>IV <input type="checkbox"/> Lack of unity of invention</p> <p>V <input checked="" type="checkbox"/> Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement</p> <p>VI <input type="checkbox"/> Certain documents cited</p> <p>VII <input type="checkbox"/> Certain defects in the international application</p> <p>VIII <input type="checkbox"/> Certain observations on the international application</p>	

Date of submission of the demand 23 March 2004 (23.03.2004)	Date of completion of this report 10 September 2004 (10.09.2004)
Name and mailing address of the IPEA/EP	Authorized officer
Facsimile No.	Telephone No.

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No.

PCT/EP2003/008030

I. Basis of the report

1. With regard to the elements of the international application:*

☐ the international application as originally filed☒ the description:pages 1, 6-8, 10, 11, as originally filed

pages _____, filed with the demand

pages 2, 2a, 3, 3a, 4, 5, 9, filed with the letter of 19 August 2004 (19.08.2004)☒ the claims:

pages _____, as originally filed

pages _____, as amended (together with any statement under Article 19

pages _____, filed with the demand

pages 1-11, filed with the letter of 19 August 2004 (19.08.2004)☒ the drawings:pages 1/1, as originally filed

pages _____, filed with the demand

pages _____, filed with the letter of _____

☐ the sequence listing part of the description:

pages _____, as originally filed

pages _____, filed with the demand

pages _____, filed with the letter of _____

2. With regard to the language, all the elements marked above were available or furnished to this Authority in the language in which the international application was filed, unless otherwise indicated under this item.

These elements were available or furnished to this Authority in the following language _____ which is:

☐ the language of a translation furnished for the purposes of international search (under Rule 23.1(b)).☐ the language of publication of the international application (under Rule 48.3(b)).☐ the language of the translation furnished for the purposes of international preliminary examination (under Rule 55.2 and/or 55.3).

3. With regard to any nucleotide and/or amino acid sequence disclosed in the international application, the international preliminary examination was carried out on the basis of the sequence listing:

☐ contained in the international application in written form.☐ filed together with the international application in computer readable form.☐ furnished subsequently to this Authority in written form.☐ furnished subsequently to this Authority in computer readable form.☐ The statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.☐ The statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished.4. ☐ The amendments have resulted in the cancellation of:☐ the description, pages _____☐ the claims, Nos. _____☐ the drawings, sheets/fig. _____5. ☐ This report has been established as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).**

* Replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report since they do not contain amendments (Rule 70.16 and 70.17).

** Any replacement sheet containing such amendments must be referred to under item 1 and annexed to this report.

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No.

EP 03/08030

V. Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Claims	1-11	YES
	Claims		NO
Inventive step (IS)	Claims	1-11	YES
	Claims		NO
Industrial applicability (IA)	Claims	1-11	YES
	Claims		NO

2. Citations and explanations

Reference is made to the following documents:

D1: EP-A-0 816 443 (FULLER H B LICENSING FINANC)
7 January 1998 (1998-01-07)

D2: EP-A-0 931 778 (VIESSMANN WERKE KG) 28 July 1999
(1999-07-28).

The problem addressed by the present invention is that of producing an insulating component for thermal and/or acoustic insulation which is provided, at least partially, with a fire-retardant coating, has a good acoustic insulating effect as well as high fire resistance and, notwithstanding its fire-retardant coating, is sufficiently flexible.

This problem is solved by the special component composition as per the characterizing portion of independent claim 1. Although individual components are known from D1 and D2 in fire-retardant coatings, these do not exhibit the versatile behaviour shown by the claimed products as a result of the use of the claimed multicomponent system.

No suggestion of the use of these particular components is to be found in those documents. Consequently, novelty,

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No.

PCT/EP 03/08030

inventive step and industrial applicability can be
attributed to the claimed components.